

IOWA BOARD OF EDUCATIONAL EXAMINERS

IN THE MATTER OF:

Jeremy Chamberlin,

Respondent.

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Case Nos. 09-62 and 10-27

License No. 344056

FINAL ORDER

1. The Respondent holds a Master Educator License (FOLDER # 344056) with endorsements to teach 5-12 Business, general, office and marketing/management, and to coach at the K-12 level. Respondent's license is current and will next expire on May 31, 2012. Respondent also has an expired administrative decision license to teach 5-12 Instructional Strategist and an expired coaching authorization.
2. The Respondent was employed with Oskaloosa Community Schools during the 2008-2009 school year. Respondent resigned April 1, 2009. The Respondent was employed with Olin Community Schools during the 2009-2010 school year.
3. On July 09, 2009, the Board of Educational Examiners received a complaint against Respondent alleging various violations. On August 13, 2010, the Board found probable cause to proceed to hearing based upon the facts set forth herein and delineated in further detail within the complaint and investigation file compiled by the Board. On April 12, 2010, the Board of Educational Examiners received another complaint against Respondent alleging various violations. On October 1, 2010, the Board found probable cause to proceed to hearing based upon the facts set forth herein and delineated in further detail within the complaint and investigation file compiled by the Board.
4. On August 6, 2008, Respondent was charged in Mahaska County District Court with Assault with Intent to Commit Sexual Abuse, in violation of Iowa Code section 709.11. On January 12, 2009, Respondent entered a guilty plea to Assault, in violation of Iowa Code section 708.2(6).
5. On October 28, 2008, Respondent was charged in Mahaska County District Court with one count of Domestic Abuse Assault causing Bodily Injury, in violation of Iowa Code section 708.1 and 708.2A(2)(b), and one count of False Imprisonment, in violation of Iowa Code section 710.7. On February 24, 2009, Respondent pled guilty to Domestic Abuse Assault, I violation of Iowa Code section 708.2A(2)(a).
6. On March 31, 2010, Respondent was charged with two counts of Lascivious Conduct with a Minor, in violation of Iowa Code section 709.14, three counts of Dissemination/Exhibition of Obscene Material to a Minor, in violation of Iowa Code section 728.2, and one count of sexual exploitation by a school employee, in violation of

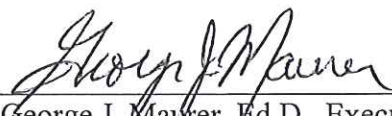
Iowa Code section 709.15(5)(a). On April 22, 2011, Respondent was found guilty on all counts. The charges were based on the conduct outlined above.

7. The Board charged Respondent with conviction of a crime, in violation of Board rule 282 Iowa Admin. Code 25.3(1)(b)(2); sexual involvement or indecent contact with a student, in violation of Board rule 282 Iowa Admin. Code 25.3(1)(c); sexual exploitation of a minor, in violation of Board rule 282 Iowa Admin. Code 25.3(1)(d); student abuse by soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student, in violation of Board rule 282 Iowa Admin Code 25.3(1)(e) (4) and conviction of a disqualifying criminal offense, in violation of Iowa Code section 272.2(14)(b) and Board rule 282 Iowa Admin Code 25.3(1)(b)(1).
8. Pursuant to Board rule, a practitioner may voluntarily surrender the practitioner's license if the practitioner waives the right to hearing before the Board and notifies the Board of the intent to accept a permanent revocation of the practitioner's license. Upon receipt of a voluntary surrender, "[t]he Board may issue an order permanently revoking the practitioner license" 282 I.A.C. 11.4(6).
9. On August 18, 2011, the Respondent filed a Conditional Surrender of Practitioner License and Waiver of Formal Hearing form. The voluntary surrender was presented to and accepted by the Board at a special meeting held on August 31, 2011.

ORDER

THEREFORE, the Board acknowledges the Respondent's voluntary surrender of his practitioner license and incorporates his action into this Order by attaching a copy of the surrender to this Order. In accordance with this filing, all licenses issued by the Board to the Respondent and his privilege to teach in Iowa are **PERMANENTLY REVOKED** with no possibility of reinstatement.

Dated this 31st day of August, 2011.


George J. Maurer, Ed.D., Executive Director
On behalf of the Board

c: Jeremy Chamberlin
RESPONDENT

Christy Hickman
ATTORNEY FOR RESPONDENT

COMPLAINANT

Julie Bussanmas
Assistant Attorney General
ATTORNEY FOR STATE

STATE of IOWA
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building
Des Moines, IA 50319-0147

AUG 18 2011

CONDITIONAL SURRENDER OF PRACTITIONER LICENSE
AND
WAIVER OF FORMAL HEARING
Before the
IOWA BOARD OF EDUCATIONAL EXAMINERS

I, Jeremy Chamberlin, swear and affirm under oath:

that I currently hold a valid or expired Iowa practitioner's license issued by the Iowa Board of Educational Examiners;

that I have been informed of and understand the nature of proceedings before the Board and have received a copy of the rules governing Board proceedings (282 Iowa Administrative Code chapters 11, and 25);

that I have been convicted of certain criminal offenses that would require the Board to revoke my Iowa practitioner's license pursuant to Iowa Code section 272.2(14)(b)(1);

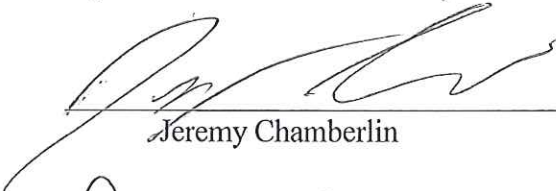
that I have appealed the aforementioned convictions and understand that these appeals could result in dismissal of the underlying criminal charges or reduction of the conviction to lesser included offenses;

that I am aware that the Board has legal authority to sanction me as a licensed individual only following a formal allegation of conduct violating Board rules, an investigation into the allegation of misconduct, and a hearing at which I have a right to be heard, present evidence, and to contest all allegations against me;

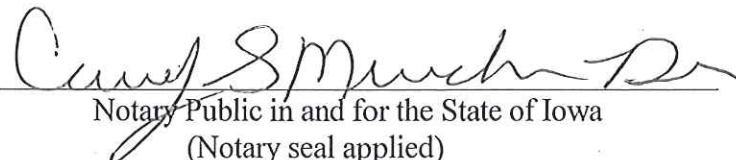
that I understand that by waiving my right to formal accusation and hearing, I give up my right to challenge the allegations against me, and that as a consequence of surrendering my license my privilege to teach, administer, and/or coach in Iowa will be permanently revoked with no possibility of reinstatement;

that I understand that if the Board accepts my license surrender an Order permanently revoking my license will be issued and the Board will notify NASDTEC ("The National Association of State Directors of Teacher Education and Certification") National Clearinghouse that my license has been revoked and that other state teacher licensing boards will have access to this information.

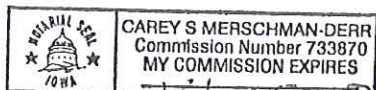
HAVING ACKNOWLEDGED MY RIGHTS AS OUTLINED ABOVE, that I hereby formally waive my right to a formal accusation and hearing before the Board and request that my license(s) to teach, administer, and/or coach in Iowa be revoked. This waiver is made contingent upon the exhaustion of my criminal appeals. In the event the appeal results in a dismissal of the charges or a reduction of the offenses to those which Iowa Code section 272.2(14)(b)(1) does not apply, this waiver is null and void. I affirm that my decision is made voluntarily and knowingly.


Jeremy Chamberlin

8.11.11
Date


Notary Public in and for the State of Iowa
(Notary seal applied)

8-11-11
Date



BEFORE THE BOARD OF EDUCATIONAL EXAMINERS
OF THE STATE OF IOWA

RECEIVED
EXECUTIVE DIRECTOR
BOARD OF EDUCATION EXAMINERS

MAY 11 2011

In the matter of)	Case Nos. 10-27
)	License No. 344056
Jeremy Chamberlin,)	
)	AMENDED NOTICE OF HEARING
Respondent.)	AND STATEMENT OF CHARGES

YOU ARE HEREBY NOTIFIED that the Iowa Board of Educational Examiners, exercising the jurisdiction conferred by Iowa Code chapters 17A and 272, has found probable cause of a violation of Board rules and ordered this matter scheduled for hearing.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing will be held on May 23-24, 2011, before Administrative Law Judge Margaret LaMarche, acting on behalf of the Iowa Board of Educational Examiners. The hearing shall begin at 9 a.m. in Department of Inspections and Appeals, Wallace State Office Bldg, Third Floor, 502 E. 9th Street (East 9th and Grand Avenue), Des Moines, Iowa. You should report to the third floor Iowa Department of Inspections and Appeals' (DIA) receptionist prior to 9:00 a.m. to obtain the room assignment.

2. Answer. Within twenty (20) days of the date of service of this Notice of Hearing, you are required to file an Answer specifically admitting, denying, or otherwise responding to the allegations included within the Factual Allegations. In that Answer, you should also state whether you will require an adjustment of the date and time of the hearing. A copy of the Answer shall be provided by the Respondent to the Assistant Attorney General identified below.

3. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 282 Iowa Administrative Code [IAC] Chapter 11. At hearing, you may appear personally or be represented by an attorney, at your own expense. You will be allowed the opportunity to respond to the charges against you. Each party will be allowed to testify, examine and cross-examine witnesses, and present documentary evidence. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence. If you need to request an alternative time or date for hearing, you must comply with the requirements of 282 IAC 11.19.

If either party wishes to present telephonic testimony or to participate in the hearing by telephone, arrangements must be made at least ten (10) days in advance of the hearing date by filing a written request with the presiding Administrative Law Judge, Department of Inspections and Appeals, Wallace State Office Building, Des Moines, Iowa 50319, or by faxing a written request to (515) 281-4477. A copy of the request for telephonic testimony must be served on the Board and all parties. Any resistance to the request for telephone testimony must be filed within five (5) days of service of the notice.

4. Pre-hearing conference. Either party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board rules regarding pre-hearing conferences are found in 282 IAC 11.18.

5. Prosecution. The office of the Attorney General is responsible for prosecuting and representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address:

Julie J. Bussanmas
Assistant Attorney General
Iowa Department of Justice
2nd Floor, Hoover State Office Building
Des Moines, Iowa 50319
Telephone (515) 281-5637.

6. Communications. You may not contact Board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing or the pending charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve on all parties in the case. You should direct any questions about this proceeding to Dr. George J. Maurer, the Board's Executive Director at (515)281-5849 or to Assistant Attorney General Bussanmas at (515)281-5637.

B. SECTIONS OF STATUTES AND RULES INVOLVED

Count I

7. The Respondent is charged with sexual involvement or indecent contact with a student, in violation of Board rule 282 Iowa Admin. Code 25.3(1)(c).

Count II

8. The Respondent is charged with sexual exploitation of a minor, in violation of Board rule 282 Iowa Admin. Code 25.3(1)(d).

Count III

9. The Respondent is charged with student abuse by soliciting, encouraging, or consummating a romantic or otherwise inappropriate relationship with a student, in violation of Board rule 282 Iowa Admin Code 25.3(1)(e) (4).

Count IV

10. The Respondent is charged with conviction of a disqualifying criminal offense, in violation of Iowa Code section 272.2(14)(b) and Board rule 282 Iowa Admin Code 25.3(1)(b)(1).

C. JURISDICTION AND LEGAL AUTHORITY

11. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A and 272 (2009). If any of the allegations against you are proven at hearing, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A and 272, and 282 Iowa Admin. Code chapter 11.

D. FACTUAL CIRCUMSTANCES

12. The Respondent holds a Master Educator License (FOLDER # 344056) with endorsements to teach 5-12 Business, general, office and marketing/management, and to coach at the K-12 level. Respondent's license is current and will next expire on May 31, 2012. Respondent also has an expired administrative decision license to teach 5-12 Instructional Strategist and an expired coaching authorization.

13. The Respondent was employed with Olin Community Schools during the 2009-2010 school year.

14. On April 12, 2010, the Board of Educational Examiners received a complaint against Respondent alleging various violations. On October 1, 2010, the Board found probable cause to proceed to hearing based upon the facts set forth herein and delineated in further detail within the complaint and investigation file compiled by the Board.

15. It is alleged that Respondent sent numerous inappropriate text messages to a female student covering topics inappropriate for a student-teacher relationship. The text messages also included naked photographs of the Respondent and student.

16. It is alleged that Respondent invited the student over to his house. While there, *inappropriate physical contact occurred, including kissing and fondling.*

17. It is alleged that Respondent kissed the student, touched the student's buttocks, and touched the student's breasts.

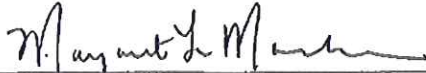
18. On March 31, 2010, Respondent was charged with two counts of Lascivious Conduct with a Minor, in violation of Iowa Code section 709.14, three counts of Dissemination/Exhibition of Obscene Material to a Minor, in violation of Iowa Code section 728.2, and one count of sexual exploitation by a school employee, in violation of Iowa Code section 709.15(5)(a). On April 22, 2011, Respondent was found guilty on all counts. The charges were based on the conduct outlined above.

E. SETTLEMENT

19. This matter may be resolved by surrender of your license or an agreement to accept a lesser sanction. The procedural rules governing the Board's settlement process are found at 282

Iowa Administrative Code 11.4(6). If you are interested in pursuing settlement of this matter, please contact the Assistant Attorney General identified in Section A, above.

Dated this 11th day of May, 2011.


Administrative Law Judge

Copies to:

Jeremy Chamberlin
P.O. Box 43
Olin, IA 52320
RESPONDENT

Christy Hickman
777 Third Street
Des Moines, IA 50309
ATTORNEY FOR RESPONDENT

Julie J. Bussanmas
Assistant Attorney General
Hoover State Office Bldg., 2nd Floor
Des Moines, Iowa 50319
ATTORNEY FOR STATE

**BEFORE THE BOARD OF EDUCATIONAL EXAMINERS
OF THE STATE OF IOWA**

In the matter of)	Case No. 09-62
)	License No. 344056
Jeremy Chamberlin,)	
)	NOTICE OF HEARING
Respondent.)	AND STATEMENT OF CHARGES

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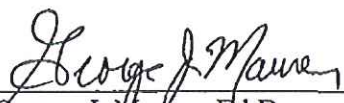
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Dated this 3rd day of March, 2011.


George J. Maurer, Ed.D.
Executive Director
Iowa Board of Educational Examiners

Copies to:

Jeremy Chamberlin
P.O. Box 43
Olin, IA 52320
RESPONDENT

Christy Hickman
777 Third Street
Des Moines, IA 50309
ATTORNEY FOR RESPONDENT

Julie J. Bussanmas
Assistant Attorney General
Hoover State Office Bldg., 2nd Floor
Des Moines, Iowa 50319
ATTORNEY FOR STATE